

Docket No.: AR - 65
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Jeff EDER

Application No.: 10/821,504

Confirmation No: 9808

Art Unit: 3692

Examiner: Sigfried Chencinski

Filed: April 9, 2004

For: Business activity management system

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the December 4, 2007 Office Action for copending application 10/441,385 a copy of which is attached hereto.

The above-listed co-pending application(s) is(are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) does NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

Dated: April 13, 2008

Respectfully submitted,

/B.J. Bennett/

B.J. Bennett, President
Asset Reliance, Inc.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/046,090

01/16/2002

Jeff Scott Elder

2417

23587 7598 12/04/2007
ASSET TRUST, INC.
2020 MALTBY ROAD
SUITE 7362
BOTHELL, WA 98021

EXAMINER

CHENCINSKI, SIEGERIED E

ART UNIT

PAPER NUMBER

3591

MAIL DATE

DELIVERY MODE

12/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/046,094

Applicant(s)

EDER, JEFF SCOTT

Examiner

Slagfried E. Chencinski

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any entitled patent term adjustment. See 37 CFR 1.784(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August & 19 November 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 69-95 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 69-95 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-846)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 8/09/07; 9/03/07; 11/21/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. Applicant has submitted 190 IDS documents for consideration since the examiner's last Office Action. The examiner has not considered these submissions because he is unable to consider this volume of IDS material. Therefore, the examiner requests Applicant's cooperation in this prosecution under MPEP 609.04(a) III, last paragraph, that Applicant submit a "concise explanation of why the English-language information is being submitted and how it is understood to be relevant. Concise explanations (especially those which point out the relevant pages and lines) which are helpful to the Office" will be helpful for any ongoing prosecution of this application.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to

be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. **Claims 69, 79 and 88 are provisionally rejected** on the ground of nonstatutory obviousness-type double patenting as being unpatentable over copending Application No. 09/994,740 (PreGrant Publication 2004/0215551 A1). This is a provisional double patenting rejection since the conflicting claims have not in fact been patented. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 69, 79 and 88 in the application and independent claims 1 and 27 in the copending application are each concerned with a computer-based method for determining the financial market value for the components of a business enterprise, assessing the financial impact of risk and developing options for enhancing the future financial value of management decisions.

4. **Claims 69, 79 and 88 are rejected** on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,393,406 and claims 1 and 12 of U.S. Patent No. 6,393,406. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 in the application and the independent claims in the patents are each concerned with a computer-based method for determining the financial market value for the components of a business enterprise, assessing the financial impact of risk and developing options for enhancing the future financial value of management decisions.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claims 69-95 are rejected** because the claimed invention is directed to non-statutory subject matter. Claims 69, 79 and 88 are not directed to any one of the areas of patentable subject matter, such as product, process, process of making or composition. Dependent claims 70-79, 80-87 and 89-95 are rejected because of their dependence on independent claim 1. In other words, claims 69, 79 and 88 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a clearly asserted utility or a well established utility.

For a claim to be statutory under 35 USC 101 the following two conditions must be met:

1) In the claim, the practical application of an algorithm or idea results in a useful, concrete, tangible result.

In the instant application, the independent claims fail to produce a useful, concrete or tangible result because the method steps end with the performance of a financial simulation which is left unused and unapplied. In other words, it is merely an esoteric exercise without a practical application.

Applicant is advised to satisfy the statutory requirements for the claims. Applicant is also advised not to add any new matter to the specification or the claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. **Claims 69-95 are also rejected** under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a clearly asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention. Ordinary practitioners would not be able to achieve repeatable results and thus is not concrete. The invention cannot

achieve repeatable results because its implementation requires many subjective judgments and has so many parameters that that results cannot be repeated independently.

7. **Claims 69-95 are also rejected** under 35 U.S.C. 112, first paragraph, because the best mode contemplated by the inventor has not been disclosed. Evidence of concealment of the best mode is based upon the fact that no best mode is found in the specification (MPEP 2106, IV.C.2(2)c)

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. **Claims 69-95 are rejected** under 35 U.S.C. 112, **second paragraph**, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are the steps which would lead an ordinary practitioner of the art to successfully apply the invention to produce a concrete, reproducible quantitative valuation result of a firm. For example, Independent claims 69, 79 and 88 claim program storage devices readable by a computer and a method for integrated performance management, measuring of financial performance and flexible integration for brand risk management without including one or more clear means for showing the ordinary practitioner how to implement the invention.

9. **Independent claims 69, 79 and 88 are rejected** under 35 U.S.C. 112, **second paragraph**, because these claims recite the limitation "brand risk management in the preamble and in the first limitation of each claim. There is insufficient antecedent basis for this limitation in these independent claims. Further, the examiner has been unable to find broader descriptions in the specification which reasonably link risk management to brand risk management.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 69-95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandretto (US Patent 5,812,988).

Re. Claims 69-95, Sandretto discloses a computer implemented method and apparatus for: (1) inputting economic variables expected to influence future asset values and asset-specific variables; (2) estimating financial statements, future asset values, and tentative asset NPVs using estimated economic variables and estimated asset-specific variables; (3) estimating different financial statements, future asset values and current asset NPVs assuming different estimates of the economic variables that affect asset values; and (4) processes to: (a) equate; or (2) reduce to acceptably small numbers the differences between: (i) the risk measures, terminal values, default premiums, and risk premiums used to determine current values, and (ii) risk measures, terminal values, default premiums, and risk premiums implied by the estimates of economic and firm-specific variables (Abstract). Sandretto's teaching includes a program storage device readable by a computer, tangibly embodying a program of instructions executable by at least one computer to perform the steps of his method (Col. 14, ll. 30-32). Sandretto implicitly discloses a performance management system for a multi business unit organization, including means for integrating narrow performance data from business units in accordance with an organization matrix determining value contributions, creating scenarios, determining elements of value, determining optimization scenarios, and communicating the optimal features mix to the narrow systems implementation. Sandretto teaches risk management in his method in the title, in the abstract and throughout his specification. It would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention that Sandretto's

risk management teachings could be applied to numerous value parameters of an enterprise, including brand risk management, since applicant's claimed invention includes the variables understood by an ordinary practitioner in a large corporation having numerous business units to be used in risk assessed financial valuations and forecasts for such a corporation. Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to have used Sandretto's disclosures for the purpose of developing an integrated brand risk management systems, methods and a program storage device for a multi-enterprise organization, motivated by a desire to offer an improved method for estimating asset values (Col. 2, ll. 2-65).

Response to Arguments

10. Applicant's arguments received on August 25, 2007 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is

Art Unit: 3682

(571)272-6792. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Alexander Kalinowski, can be reached on (571) 272-6771.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington D.C. 20231

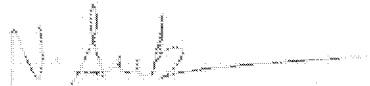
or Faxed to (571)273-8300 [Official communications, including After Final communications labeled "Box AF"]

or Faxed to (571) 273-6792 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the address found on the above USPTO web site in Alexandria, VA.

SEC


November 29, 2007


NARAYANSWAMY SUBRAMANIAN
PRIMARY EXAMINER

Under the "Personal Record" Act of 1955, no person are required to respond to a collection of information unless it carries a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known:	
				Application Number	10/046,094
				Filing Date	1/16/2002
				First Named Inventor	Jeff S. Eder
				Art Unit	3692
				Examiner Name	Sigfried Chencinski
Sheet		of		Attorney Docket Number	AR - 44

[illegible]

Examiner Signature		Date Considered	4/28/02
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7. **EXHIBIT 49.** Include if referenced in comments, whether or not question is substantiated with AFEP 499. Draw line through question if not in circumstances and not considered. Include copy of this form with next communication to applicant.

1. Applicant's unique citation designation number (optional). 2. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.83. The information is required to obtain or retain a benefit by the public which is to be paid by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. The collection is obligated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you estimate to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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10/2
TO: CB 684 (CB-10)
6. OMD 6861-0051
U.S. DEPT. OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it carries a valid OMB control number.

Application Number	10/046,094
Filing Date	1/16/2002
First Named Inventor	Jeff S. Eder
Art Unit	3502
Examiner Name	Signed Chandrasek
Attorney Docket Number	AR - 24

[illegible][illegible]

If you need assistance in completing the form, call 1-800-PRO-9199 (1-800-786-8159) and select option 2.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Use as many sheets as necessary.

NON-PATENT LITERATURE DOCUMENTS

EXPERIMENT

XXXXXXXXXXXX

Considered

11/2/07

EX-101-272: Item 11 requires consideration, whether or not citation is in conference with APE > 0%. Does the design citation & not in conference and not considered. Includes copy of the form with any recommendations to applicant.

¹ Applicant's unique station designation number (optional). ² Applicant is a phone check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to his (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. This will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Received 8/09/2007

10/15
10/1

PTO/SB/085 (04-03)

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Substitute for form 1449 PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Sheet	of	Application Number	10/046,094
		Filing Date	01/16/2002
		First Named Inventor	Jeff S. Eder
		Art Unit	3692
		Examiner Name	Sigfried Chencinski
		Attorney Docket Number	AR - 44

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ²	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published.	T ²
	1	ZIPP, ALAN S.; Business valuation methods; 1993, pages 1 - 216, AICPA, U.S.A.	
	2	DAVIDOW, WILLIAM; Accounting systems are completely wrong, Red Herring, January 1, 1995, pages 1 - 3, Red Herring, U.S.A.	
	3	MCTAGGERT, JAMES; KONTES, PETER AND MANKINS, MICHAEL; The value imperative; 1994, pages 1 - 350, The Free Press, U.S.A.	
	4	RAPPAPORT, ALFRED; Creating shareholder value; 1986 & 1998, pages 1 - 195, The Free Press, U.S.A.	
	5	RITCHKEN, PETER; Options, Theory, Strategy and Applications, 1987, pages 1 - 407, Foresman and Company, U.S.A.	
	6	DIXIT, AVINASH & PINDYCK, ROBERT; Investment under uncertainty; 1994; pages 3 - 444, Princeton University Press, U.S.A.	
	7	GARSON, DAVID; Interpreting neural network connection weights, 4/1/1991, pages 47 - 51, AI Expert, U.S.A.	
	8	WELLSTEAD, STEPHEN; Neural network and fuzzy logic applications in C/C++; 1994; pages 3 - 447, John Wiley & Sons, U.S.A.	
	9	MOST, KENNETH; Accounting theory; 1977 pages 1 - 340, Grid, Inc., U.S.A.	
	10	HENDRIKSEN, ELDEN; Accounting theory; 1982, pages 1 - 524, Richard D. Irwin, U.S.A.	

Examiner Signature	Date Considered
<i>[Signature]</i>	11/2/07

*EXAMINER: Initials referring to considered, rejected or not citation with confidentiality with MP/PT 809. Draw and through citation if not in confidence and not considered. Includes copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.15. The information is required to obtain or retain a benefit by the public which is to be paid by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FREE OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB-089 (04-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Sheet		of		Application Number	10/048,094
				Filing Date	01/16/2002
				First Named Inventor	Jeff S. Eder
				Art Unit	3692
				Examiner Name	Sigfried Chencinski
				Attorney Docket Number	AR - 44

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	11	KULKARNI, ARUN; Artificial neural networks for image understanding; 1994; pages 1 - 204, Van Nostrand Reinhold, U.S.A.	
	12	WARD SYSTEMS GROUP; NeuroWindows User Manual; July 1993; pages 1-1 to A4 - 2, Ward Systems Group, U.S.A.	
	13	BREALEY, RICHARD & MYERS, STEWART; Principles of Corporate Finance; 1991; pages 1 - 741, McGraw Hill, U.S.A.	
	14	FAULKNER, TERRENCE; Applying options thinking to R&D valuation; May/June 1996; pages 50 - 55, Research Technology Management, U.S.A.	
	15	MILLER, MERTON & MODIGLIANI, FRANCO; Dividend policy, growth and the valuation of shares, October 1961, pages 411 - 433, V34, The Journal of Business, U.S.A.	
	16	SIMENSKY, MELVIN & BRYER, LANNING; The new role of intellectual property in commercial transactions, 1984, pages 1 - 572, John Wiley & Sons, U.S.A.	
	17	WILSON, ALBERT; Emerging approaches to impaired property valuation, April 1996, pages 155 - 170, V64, Appraisal Journal, U.S.A.	
	18	BROWN, GORDON T; Free cash flow appraisal, a better way, April 1996, pages 171 - 182, V64, Appraisal Journal, U.S.A.	
	19	BUSINESS EDITORS & REAL ESTATE INDUSTRY WRITERS; EOK Realty Investors I, 4/2/1992, pages 1 - 3, Press Release, U.S.A.	
	20	SWAD, RANDY; Business valuation, applicable standards for CPA's, September 1995, pages 38 - 43, V65, CPA Journal, U.S.A.	

Examiner Signature	<i>[Signature]</i>	Date Considered	11/18/02
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* EXAMINER: Initial if relevant or considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known Application Number: 10/046,094 Filing Date: 01/16/2002 First Named Inventor: Jeff S. Eder Art Unit: 3862 Examiner Name: Sigfried Chencinski Attorney Docket Number: AR-44	
Sheet		of	

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T ²
	21	REILLY, ROBERT; Valuation of intangibles for bankruptcy and reorganization purposes, August 1994; pages 25 - 30, V53, Ohio CPA Journal, U.S.A.	
	22	LIEBICH, KIM; How to value a bank; August 1995; pages 21 - 25, V67, ABA Banking Journal, U.S.A.	
	23	BAUMANN, BARBARA H & CXAAL, MARJORIE R; Estimating the value of a group medical practice, a primer; December 1993, pages 58 - 65, V47, Healthcare Financial Management, U.S.A.	
	24	MAXSON, MARK; Will you get your money's worth?; May/June 1993, pages 54 - 58, V9, Financial Executive, U.S.A.	
	25	FRIEDMAN, RICHARD; Business valuation: calculating it right; October 1994; pages 34 - 39, V10, The Practical Accountant, U.S.A.	
	26	MULLEN, MAGGIE; How to value intangibles; November 1993; pages 92 - 94, V112, Accountancy, U.K.	
	27	STEWART, THOMAS; Trying to grasp the intangible; October 2, 1995, pages 157 - 159, V132, Fortune, U.S.A.	
	28	DUROSOFF, ALEXANDRA; What the world's top brands are worth; September 1, 1992; pages 33 - 49, Finance World, U.S.A.	
	29	PHILLIPS BUSINESS INFORMATION, INC.; Five ways to reduce risk with neural networks, 9/27/1993, V3, Credit Risk Management Report, Philos Business Information.	
	30	LIPPITT, JEFFREY & MASTRACCHIO, NICHOLAS; Developing capitalization rates for valuing a business, November 1995, pages 24 - 28, V66, The CPA Journal, U.S.A.	

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		Application Number	10/186,758	
		Filing Date	03/12/2002	
		First Named Inventor	Jeff S. Eder	
		Art Unit	3623	
		Examiner Name	Sigfried Chencinski	
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	31	HIRSCH, A. ETHAN, What's it worth? December 21, 1992, page 16, V6, Accounting Today, U.S.A.	
	32	MYERS, STEWART & HOWE, CHRISTOPHER, A life-cycle financial model of Pharmaceutical R&D; April 1997; pages 1 - 38, MIT Sloan School of Management, USA	
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	35	KAUFMAN, J. JERRY; Value Management; 1998; pages 1 - 90, Crisp Publications, U.S.A.	
	36	HBS Press, Harvard Business Review on Measuring Corporate Performance; 1998; pages 1 - 216, HBS Press, U.S.A.	
	37	KAPLAN, ROBERT & NORTON, DAVID; The Balanced Scorecard; 1996; pages 1 - 311, HBS Press, U.S.A.	
	38	MORRIS, HENRY; Extending the Business Process, October 6, 1998, slides 1 - 20, IDC Presentation, San Francisco, CA, U.S.A.	
	39	AMIR, ELI & LEV, BARUCH, "Value-relevance of non-financial information", August - December 1996, pages 3 - 30, Journal of Accounting and Economics, U.S.A.	
	40	ERNST & YOUNG, Measures that Matter, 1997, pages 1 - 16, Ernst & Young Center for Business Innovation, U.S.A.	

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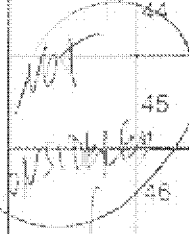
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Application Number		10/046,094	
Filing Date		01/16/2002	
First Named Inventor		Jeff S. Eder	
Art Unit		3692	
Examiner Name		Sigfried Chendinski	
Attorney Docket Number		AR - 44	

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	41	BOUQUET, PAOLO, SEARAFINI, LUCIANO, et al; Modeling and Using Context - Context 1999, 1999, pages 1 - 526, Springer, Germany	
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	45	SHIMPI, PRAKASH, Integrating Corporate Risk Management, 1999 & 2001, pages 3 - 266, Texere, LLC, U.S.A.	
	46	BREWKA, GERHARD, Principles of Knowledge Representation, 1998, pages 1-311, CSLI Publications, Stanford University, U.S.A.	
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	48	TISSEN, RENE, ANDRIESEN, DANIEL, et al; The Knowledge Dividend, 2000, pages 3 - 258, Prentice Hall, U.K.	
	49	BROWN, JOHN SEELY, et al; "Loosening up: How process networks unlock the power of specialization, 2002, pages 59 - 69, McKinsey Quarterly Special Edition, McKinsey, USA	
	50	BLTYHE, JIM, "An Integrated Environment for Knowledge Acquisition", 2001, pages 13 - 20, Proceedings International Conference on Intelligent User Interfaces, ACM, U.S.A.	

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		Application Number	10/046,094
		Filing Date	01/16/2002
		First Named Inventor	Jeff S. Eder
		Art Unit	3592
		Examiner Name	Sigfried Chendinski
Sheet	of	Attorney Docket Number	AR - 44

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	51	KOLLER, TIMOTHY, "What is value based management", 3rd Quarter 1994, pages 87 - 101, McKinsey Quarterly, McKinsey, U.S.A.	
	52	BROWN, CAROL; COAKLEY, JAMES; PHILLIPS, MARY ELLEN, "Neural Networks Enter World of Mgmt Accounting", May 1995, pages 51 - 57, V76, Management Accounting, US	
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	58	COPELAND, TOM; KOLLER, TIM; MURRIN, JACK, Valuation, 1990, pages 1 - 413, John Wiley and Sons, U.S.A.	
	59	BROWN, CAROLYN; PHILLIPS, MARY ELLEN, Expert Systems for Management Accounting Tasks, 1995, pages 1 - 204, IMA Foundation, U.S.A.	
	60	Anonymous, "Survey: Too Clever by Half", January 24, 2004, page 12, V370, The Economist, U.K.	

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		Application Number	10/046,094
		Filing Date	01/16/2002
		First Named Inventor	Jeff S. Eder
		Art Unit	3692
		Examiner Name	Sigfried Chencinski
		Attorney Docket Number	AR - 44
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	61	CULP, CHRISTOPHER et al, "Value at Risk for Asset Managers", Derivatives Quarterly, January 8, 1999, pages 22 - 33, V 5, New York, U.S.A.	
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Application Number	10/046,094
Filing Date	01/16/2002
First Named Inventor	Jeff S. Eder
Art Unit	3692
Examiner Name	Sigfried Chencinski
Attorney Docket Number	AR - 44

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	71	BAGHAJ, MEHRDAD, COLEY, STEPHEN & WHITE, DAVID, "The Alchemy of Growth", 1999, pages 2 - 244, Persous Books, U.S.A.	
	72	BRISYS, ERIC, DE VARENNE, FRANCOIS, Insurance from Underwriting to derivatives, 2001, pages 1 - 158, John Wiley and Sons, Inc., U.S.A.	
	73	Anonymous, "The future of finance", The Economist, December 11, 1999, pages 71-72, v353, U.K.	
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	78	EDER, JEFF, Hard facts about soft assets (and real options), April 3, 2001, pages 1 - 54, Casualty Actuary Society Seminar on Enterprise Risk Management, U.S.A.	
	79	FARQUHAR, PETER & HAN, JULIE, "Recognizing and measuring your brand assets", July 1991, pages 1 - 29, Report 91-199, Marketing Science Institute, U.S.A.	
	80	HULL, JOHN C., Options, futures and other derivatives, 2000, pages 1 - 371, Prentice Hall, U.S.A.	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT


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Street		of		Application Number	10/046,094
				Filing Date	01/16/2002
				First Named Inventor	Jeff S. Eder
				Art Unit	3892
				Examiner Name	Jeff Eder
				Attorney Docket Number	AR - 44

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	81	KLUGE, JURGEN, STEIN, WOLFRAM, LIGHT, THOMAS, Knowledge Unplugged, 2001, pages 3 - 207, Palgrave, U.K.	
	82	QUINN, JAMES BRIAN, Intelligent Enterprise, 1992, pages 3 - 456, The Free Press, U.S.A.	
	83	FOWLER, MARTIN, Analysis Patterns: Reusable Object Models, 1997, pages 1 - 342, Addison Wesley, U.S.A.	
	84	SHAFFER, GLENN & VOVK, VLADIMIR, Probability and Finance, 2001, pages 1 - 404, John Wiley & Sons, U.S.A.	
	85	FAHY, MARTIN, Strategic Enterprise Management Systems, 2002, pages 1 - 177, AICPA, U.S.A.	
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	87	HALFORD, CRAEME, BAKER, ROSEMARY, BAIN, JOHN, "How many variables can a human process", Psychological Science, January 2005, pages 70 - 76, V16, U.S.A.	
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	90	ALEXANDER, CAROL, Risk Management and Analysis, 1998, pages 1 - 275, John Wiley and Sons, U.S.A.	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/046,094
Filing Date	01/16/2002
First Named Inventor	Jeff S. Eder
Art Unit	3692
Examiner Name	Sigfried Chencinski
Attorney Docket Number	AR - 44

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NOT CONSIDERED	91	MYERS, RANDY, "Measure for Measure", November 1, 1997, pages 31 - 37, CFO Magazine, U.S.A.	
	92	BIDDLE, GARY; BOWEN, ROBERT; WALLACE, JAMES; "Does EVA Beat Earnings?", pages 301 - 339, V24, December 1997, Journal of Accounting and Economics, U.S.A.	
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Examiner Signature	Date Considered
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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Sheet 1 of 1

Application Number	10/046,094
Filing Date	01/16/2002
First Named Inventor	Jeff S. Eder
Art Unit	3692
Examiner Name	Sigfried Chencinski
Attorney Docket Number	AR - 44

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.*	Document Number <i>(Include Kind Code)² (if known)</i>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
NOT CITED		US-5,224,034 - B1	06-29-1993	Katz, Paul	
		US-5,237,946 - B1	06-17-1993	Kagami, Akari	
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Examiner Initials*	Cite No.*	Foreign Patent Document <i>(Country Code³, Number⁴, Kind Code⁵ (if known))</i>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	1 ⁶
NOT CITED		EP 0 587 290 A2	03-16-1994	Powers et al		<input type="checkbox"/>
		GB 2 293 081 A	02-19-1992	Kaisha Kabushi		<input type="checkbox"/>
		WO 98 38 588	02-25-1997	Mayon and White		<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

Examiner Signature	Date Considered
<i>[Signature]</i>	01/27/02

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Application Number	10/046,094
Filing Date	01/16/2002
First Named Inventor	Jeff S. Eder
Art Unit	3602
Examiner Name	Sigfried Chencinski
Attorney Docket Number	AR - 44

U. S. PATENT DOCUMENTS

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Page 13

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Application Number	10/048,094
Filing Date	01/16/2002
First Named Inventor	Jeff S. Eder
Art Unit	3692
Examiner Name	Sigfried Chencinski
Attorney Docket Number	AR - 44

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number-Kind Code ^{Pat. Class.}	Publication Date MM-DD-YY/ZZ	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/046,094
Filing Date	1/16/2002
First Named Inventor	Jeff S. Eder
Art Unit	3692
Examiner Name	Sigfried Chendinski
Attorney Docket Number	AR - 44

U. S. PATENT DOCUMENTS					
Patent Number ¹	Cite No. ²	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Obs. Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		US- 6,695,795 - B1	2-24-2004	Knoll, Gerd	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number 10/046,084
Filing Date 01/16/2002
First Named Inventor Jeff S. Eder
Art Unit 3692
Examiner Name Sigfried Chencinski
Attorney Docket Number AR - 44

Sheet 1 of 1

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.†	Document Number Number-Kind Code‡ of Inventor	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5 148,365 - B1	8-15-1992	Dembo, Ron	
		US- 5 799,287 - B1	12-30-2003	Dembo, Ron	
		US- 5 591,232- B1	9-22-1998	Kassapoglou, Christos	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.†	Foreign Patent Document Country, Code‡ Number, Kind Code§ of Inventor	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T†

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